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Application No.: 10/608,452

Docket No.: TOW-030RCE

REMARKS

Applicants amend claims 1-4, 6-9, and 11-12 to overcome the 35 U.S.C. §112 rejection and not to overcome any prior art. No new matter is added. Upon entry of this amendment, claims 1-12 are pending, of which claims 1, 6, 11, and 12 are independent. Applicants respectfully submit that the pending claims define over the art of record.

Applicants thank the Examiner for taking the time to conduct a telephone interview with Applicants' attorney. It was agreed that the term "cell assembly" used in the specification has multiple unit cells. See Page 3, lines 18-19 and Page 13, lines 15-17. Hence, a cell assembly in the present invention means a fuel cell stack.

Claim Rejection Under 35 U.S.C. §112

Claims 1-12 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants amend the claims to address the Examiner's concern. Since claim 1 recites that a fuel gas outlet/inlet passage connecting a fuel gas passage from the first stack with a fuel gas passage from the second stack, it is implied that the fuel gas outlet/inlet passage is outside of the first and second stacks in order to connect the fuel gas passage of the first stack with the fuel gas passage of the second stack. Applicants respectfully request that the Examiner reconsider and withdraw the rejection under 35 U.S.C. §112.

Claim Rejection Under 35 U.S.C. §103

Claims 1-12 are further rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 6,841,275 to Pearson (hereafter "Pearson"). Applicants respectfully submit that the Pearson reference does not teach or suggest a fuel gas outlet/inlet passage connecting a fuel gas passage from the first stack with a fuel gas passage from the second stack, as recited in independent claims 1 and 6. The Pearson reference also does not teach or suggest an oxygen-containing gas outlet/inlet passage connecting an oxygen-containing gas passage from the first stack with an oxygen-containing gas passage from the second stack, as recited in independent claim 11, or a coolant outlet/inlet passage connecting with said coolant passages from the first and second stacks, as recited in independent claim 12.

The Examiner alleges that the Pearson reference teaches these features in Fig. 8. However, Fig. 8 only shows a single fuel cell stack 14 where the fuel cells in the stack can be grouped to form multiple groups/portions (14a, 14b, ..., 14n) that are separately connected to different battery cells (24a, 24b, ... 24n) in a battery 24. Nowhere in Fig. 8 does the Pearson reference teach two different fuel cell stacks.

Although claim 1 of the Pearson reference teaches a fuel cell system that can have multiple fuel cell stacks to provide power to a load, each of the fuel cell stacks has its own separate reactant delivery system. Hence, there is no teaching or suggestion that different fuel cell stacks share a single reactant delivery system, such as using a fuel gas outlet/inlet passage connecting a fuel gas passage from the first stack with a fuel gas passage from the second stack in the present invention. The Pearson reference is concerned with providing a desired output voltage and current, hence it teaches in Fig. 11 that multiple fuel cell systems may be connected in parallel and/or in series to obtain the desired output voltage and current for providing power to a load 12. Hence, there is no teaching or suggestion that the Pearson reference should be modified so that a fuel gas outlet/inlet passage connecting a fuel gas passage from the first stack with a fuel gas passage from the second stack is provided so that fuel gas can flow from one stack into another stack.

Similarly, the Pearson reference also does not teach an oxygen-containing gas outlet/inlet passage that connects an oxygen-containing gas passage of a first stack with an oxygen-containing gas passage of a second stack or a coolant outlet/inlet passage that connects a coolant passages from a first stack and a second stack.

Accordingly, the Pearson reference does not teach or suggest a fuel gas outlet/inlet passage connecting a fuel gas passage from the first stack with a fuel gas passage from the second stack, as recited in independent claims 1 and 6. The Pearson reference also does not teach or suggest an oxygen-containing gas outlet/inlet passage connecting an oxygen-containing gas passage from the first stack with an oxygen-containing gas passage from the second stack, as recited in independent claim 11, or a coolant outlet/inlet passage connecting with said coolant passages from the first and second stacks, as recited in independent claim 12. Applicants

respectfully request that the Examiner reconsider and withdraw the rejection of independent claims 1, 6, 11, and 12.

Applicants note that the dependent claims also recite separate patentable subject matter. As such, for this and the reasons set forth above, the dependent claims also define over the art of record.

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CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants submit herewith a petition for one-month extension of time. Applicants believe no other fee is due with this statement. However, if additional fee is due, please charge our Deposit Account No. 12-0080, under Order No. TOW-030RCE from which the undersigned is authorized to draw.

Dated: October 16, 2006

Respectfully submitted,

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